



OFFICE of INSPECTOR GENERAL

NATIONAL ARCHIVES and RECORDS ADMINISTRATION
8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001
www.archives.gov/oig

June 20, 2019

Ms. Emma Best
MuckRock News, DEPT 73721
411A Highland Ave
Somerville, MA 02144

via email to 73721-46044976@requests.muckrock.com

Re: Request for Records Dealing with Wikileaks (NARA OIG FOIA 19-18)

Ms. Best,

This letter is in regards to a FOIA request you sent the National Archives and Records Administration (NARA), tracking number NARA-NGC-2019-000481 requesting, from January 2006 to present: "Documents that pertain to Wikileaks from January 2006 to present, including but not limited to emails, memos, notes, briefings, reports and other documents related to, mentioning or generated as a result of:

- guidance and instructions for employees regarding visiting the website or otherwise reading or
- learning about it in the internal reactions to the website's existence and disclosures
- damage reports regarding the website and its disclosures
- efforts to identify, investigate and/or mitigate potential leaks to the website
- efforts to identify, investigate and/or mitigate potential unauthorized viewing of the website or news reports analyzing it and/or its contents."

NARA's Office of General Counsel (NGC) sent your request to the Office of Inspector General (OIG) for processing. For your information, the OIG is an independent unit of the National Archives and Records Administration (NARA) tasked by Congress to combat fraud, waste, abuse and mismanagement within NARA. As such, we have no control or authority over records kept and maintained by any other government agency, or even any office at NARA. We only control those records generated within the OIG alone. Accordingly, no other office at NARA controls OIG records.

I have reviewed the OIG's records and found three types of records potentially related to your request. First are things such as newsletters and emails sent to groups that simply have various public news stories summarized or listed. Some of these stories may reference Wikileaks, but they are publically available and not related to any agency actions. These were considered unresponsive. Second, several records belonging to NARA as an agency that were potentially responsive were found. Since these reports are controlled by NARA, they were referred over to the NGC FOIA office to review and potentially include in their response. The NGC will respond to you directly concerning any of those records. Third, our Office of Investigations had some potentially responsive records. However, another Federal agency had equities in those records.

Those records were sent to the FOIA office of that agency for a consult, and we are waiting to hear back from them. As soon as we know what can be released we will send the records to you. You have the right to administratively appeal those determinations by writing to the Archivist of the United States, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD, 20740, within ninety (90) calendar days of the date of this letter. If you choose to appeal, your appeal letter and its envelope should be clearly marked "Freedom of Information Act Appeal," and you should explain why you believe NARA should release the withheld information.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact the OIG's FOIA Public Liaison, James Springs, for assistance at:

National Archives and Records Administration
Office of Inspector General
8601 Adelphi Road, Room 1300
College Park, MD 20740-6001
(301) 837-3018
james.springs@nara.gov

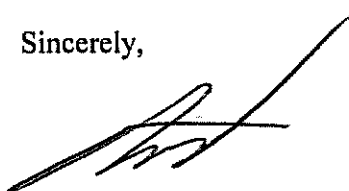
If you are unable to resolve your FOIA dispute through the FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
ogis@nara.gov
ogis.archives.gov
202-741-5770 or 1-877-684-6448

Finally, in accordance with Department of Justice guidance, I would also like to notify you that Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification given to all our requesters and should not be taken as an indication excluded records do, or do not, exist.

If you have any questions, please feel free to contact me directly at 301-837-1966 or john.simms@nara.gov. As a note, you may get an out-of-office message from my email. I am a Reservist about to perform military duties, but I will be checking my email. Thank you for contacting the NARA OIG.

Sincerely,



John Simms
Counsel to the Inspector General